

BOARD OF COUNTY COMMISSIONERS

GULF COUNTY, FLORIDA

AGENDA JUNE 28, 2011 TIME / PAGE NO.

1. Meeting Called to Order 6:00 p.m.
2. Consent Agenda 1-30
3. Public Hearing – Ordinance – R.V. Moratorium 31
4. Public Hearing - P.D.R.B. Recommendations (June 20, 2011) 32-33
5. County Staff Business
6. Board Business
7. Michael Spellman, P.A. – Sniffen & Spellman, P.A.
8. Mitt Fulmer – Permitting – Lots on Cape San Blas
9. Public Discussion

F.S. 286.0105:

If a person decides to appeal any decision made by the board, agency or commission, with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CONSENT AGENDA

June 28, 2011

1. Minutes – June 14, 2011 – Regular Meeting 1-16
2. Agreement – Mortgage Modification (Port St. Joe Port Authority/Capital City Bank) 17-18
3. Grant – Small County Solid Waste 19-20
4. Invoices – County Attorney Jeremy Novak (Invoice June, 2011 * \$7,502.50 * to be paid from Account #21314-31100) 21-23
 - GAC Contractors – Old Bay City Road Paving Project (Invoice #26127 * \$363,931.55 * to be paid from Account #40741-63000) 24-27
 - I-C Contractors, Inc. – Stumphole Revetment Project (Invoice #3A * \$78,014.73 * to be paid from Account #223525-34000) 28-29
 - Sniffen & Spellman, P.A. – Professional Litigation Services (Invoice #7208 * \$5,344.24 * to be paid from Account #21111-31200) 30

PORT ST. JOE, FLORIDA

JUNE 14, 2011

REGULAR MEETING

The Gulf County Board of County Commissioners met this date in regular session with the following members present: Chairman Warren J. Yeager, Jr., Vice Chairman Bill Williams, and Commissioners Carmen L. McLemore, Ward McDaniel, and Tan Smiley.

Others present were: County Attorney Jeremy Novak, Clerk Finance Officer Carla Hand, Deputy Clerk Kari Summers, Chief Administrator Don Butler, Deputy Administrator Lynn Lanier, Building Official Lee Collinsworth, Emergency Management Director Marshall Nelson, Grant Writer Towan Kopinsky, Gulf County E.M.S. Director Houston Whitfield, Human Resource Director Denise Manuel, Planner David Richardson, Sheriff Joe Nugent, Sheriff's Office Major Bobby Plair, T.D.C. Director Tim Kerigan, T.D.C. Secretary Kellee Novak, and County Engineer/Preble-Rish, Inc. Clay Smallwood, III.

Sheriff Nugent called the meeting to order at 6:00 p.m., E.T.

Deputy Administrator Lanier opened the meeting with prayer, and Chairman Yeager led the Pledge of Allegiance to the Flag.

CONSENT AGENDA

Upon motion by Commissioner McLemore, second by Commissioner McDaniel, and unanimous vote, the Board approved the Consent Agenda as follows:

1. Minutes – May 9, 2011 – Special Meeting
 - May 10, 2011 – Special Budget Meeting
 - May 10, 2011 – Regular Meeting
 - May 24, 2011 – Regular Meeting
2. Approval of Checks and warrants for May, 2011 which are incorporated herein by reference, pursuant to Chapter 136.06 F.S.
3. Agreement – Jantech Services, Inc. (E.O.C. Uninterruptible Power System)
4. Bid Advertisement – E.M.S. (#220-115 * 1985 Plymouth * V/N 1P3BP4607JF246273)
5. Budget Approval – Employee Payroll/Retirement

6. Deepwater Horizon Oil Spill Shoreline Inspection Report (S.C.A.T. 4/3-4/13/2011)
7. Fee Waiver – Tipping Fee (Selina Roberson Waller)
8. Grant Agreement – E.M.P.G. (FY 2011-2012 \$49,444.00)
Grant Agreement – E.M.P.A. (FY 2011-2012 \$105,806.00)
9. Inventory – Clerk of Circuit Court (Junk #10-372, #10-327)
10. Invoices - Agency for Healthcare Administration - Medicaid (4th Quarter, 2010-2011 * \$203,550.00 * to be paid from Account #51161-82000)
 - County Attorney Jeremy Novak (May, 2011 * \$6,891.60 * to be paid from Account #21314-31100)
 - Disaster Strategies and Idea's Group, LLC - Gulf County & Sacred Heart Hospital Joint Mass Causality Exercise (Invoice #1337 * \$10,000.00 * to be paid from Account #39125-34000)
 - Disaster Strategies and Idea's Group, LLC – Enhancement & Reformat of Local Mitigation Strategy (Invoice #1338 * \$5,142.00 * to be paid from Account #39525-34000)
 - GAC Contractors – Iola Road Paving Project (Invoice #26126 * \$39,379.57 * to be paid from Account #40741-63000)
 - Harrison Rivard & Duncan – Lobbying Services (Invoice #12237 * \$18,333.00 * to be paid from Account #21111-31300)
 - Rumberger Kirk & Caldwell – General Employment Matters (Invoice #761704 * \$483.00 * to be paid from Account #21111-31200)
 - St. Joseph Bay Humane Society – Animal Control (May, 2011 * \$5,554.00 * to be paid from Account #43262-82000)

- State of Florida – Hurricane Ivan, F.E.M.A. (Contract
#11-BG-55-02-33-01-142 * \$14,932.82)

11. Purchase Request (Emergency) – Gulf County Beaches Volunteer Fire Department (\$6,972.95)
12. Rate Increase – Waste Management
13. Resolution – Grant Agreement (F.D.O.T. S.C.O.P. J.P.A. / C.R.-30A) as follows:

RESOLUTION NO. 2011-10

A RESOLUTION OF THE GULF COUNTY BOARD OF COUNTY COMMISSIONERS AUTHORIZING THE CHAIRMAN OF THE BOARD TO ENTER INTO A S.C.O.P. JOINT PARTICIPATION AGREEMENT (J.P.A.) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, THE Small County Outreach Program has been created by Section 339.2818, Florida Statutes, to assist small county governments in resurfacing or reconstruction of county roads or in construction of capacity or safety improvements on county roads; and

WHEREAS, the Florida Department of Transportation (F.D.O.T.) has the authority under Section 224.044, Florida Statutes, to enter into an Agreement with Gulf County; and

WHEREAS, Gulf County has certified to F.D.O.T. that eligibility requirements have been met of said Section 339.2818, Florida Statutes; and

WHEREAS, FDOT is willing to provide Gulf County with financial assistance under Financial Management Number 429975-1-58-01 for costs directly related to **widening and resurfacing of C.R. 30-A from east of Money Bayou Bridge to Gulf Pines Drive**, hereinafter referred to as the **“PROJECT”**;

NOW, THEREFORE, BE IT RESOLVED by the Gulf County Board of County Commissioners that the Chairman of the Board is authorized to sign the Joint Participation Agreement (J.P.A.) with F.D.O.T. for the widening and resurfacing of C.R. 30-A from east of Money Bayou Bridge to Gulf Pines Drive.

ADOPTED this 14th day of June, 2011.

(End)

**PUBLIC HEARING – C.D.B.G.-DISASTER RECOVERY ENHANCEMENT FUND
(\$859,541.61)**

Jeffery Winter of Jordan & Associates appeared before the Board and reported that he is here today to hold a Public Hearing for the Disaster Recovery Enhancement Fund, stating that this is supplemental funds to enhance projects selected for the community affected from the 2008 storm season. Chairman Yeager called for public comment. There being no public comment, Mr. Winter reported that they have met with the Citizens Advisory Task Force and recommended to move forward with the projects that would include 14% of the allocation to go towards affordable rental housing, and this would be an ongoing project based upon the work currently through the D.R.I. to mitigate and rehabilitate some affordable rental housing complexes throughout the County and the remainder of the funds to go towards the additional rock revetment at the Stumphole area. Commissioner Williams motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

For Board consideration, County Attorney Novak read by title the proposed resolution designating signatory authority on this project by title. Commissioner McDaniel motioned to adopt the proposed resolution. Commissioner Smiley seconded the motion, and it passed unanimously.

RESOLUTION NO. 2011-11

APPOINTING THE CHAIRMAN, COUNTY CHIEF ADMINISTRATOR OR THE COUNTY GRANT COORDINATOR OF GULF COUNTY TO BE THE SIGNING AUTHORITY ON ANY AND ALL DOCUMENTS RELATING TO THE FLORIDA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2008 DISASTER RECOVERY ENHANCEMENT FUNDS.

WHEREAS, the Gulf County Board of County Commissioners hereby agrees to apply for funding through the Community Development Block Grant Disaster Recovery Enhancement Funds for urgent need projects in critical areas of Gulf County which were adversely impacted during the storms of 2008; and

WHEREAS, the Gulf County Board of County Commissioners understands the importance of this grant program and the need for expeditious execution of various documents.

NOW, THEREFORE, BE IT RESOLVED by the Gulf County Board of County Commissioner that the Chairman, County Chief Administrator or County Grant Administrator is hereby authorized to execute all necessary documents including and resulting from the filing of this application.

ADOPTED this 14th day of June, 2011.

(End)

PUBLIC HEARING – SMALL CITIES C.D.B.G. (\$700,000.00)

Blunt Armstrong of Jordan & Associates appeared before the Board and reported that this is a Public Hearing to announce the availability of the County receiving up to \$700,000.00 of C.D.B.G. funds in the 2011 application cycle, stating that there are four areas the funds can be applied for (1) economic development, (2) commercial revitalization, (3) neighborhood revitalization, and (4) housing rehabilitation. Chairman Yeager called for public comment. There being no public comment. Mr. Armstrong reported that they have met with the Citizens Advisory Task Force and they are recommending pursuing a housing rehabilitation application for the County in the 2011 cycle. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

For Board consideration, County Attorney Novak read by title the proposed resolution designating signatory authority on this project by title. Commissioner McDaniel motioned to adopt the proposed resolution. Commissioner McLemore seconded the motion, and it passed unanimously.

RESOLUTION NO. 2011-12

APPOINTING THE CHAIRMAN, COUNTY CHIEF ADMINISTRATOR OR THE COUNTY GRANT COORDINATOR OF GULF COUNTY TO BE THE SIGNING AUTHORITY ON ANY AND ALL DOCUMENTS RELATING TO THE 2011 FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, Gulf County is experiencing a need for physical improvements in one or more neighborhoods; and

WHEREAS, Gulf County is experiencing a need for economic improvement and sustainability; and

WHEREAS, it is the desire of the Gulf County Board of County Commissioners that local residents be assisted in creating an improved living and working environment in these areas; and

WHEREAS, THE Gulf County Board of County Commissioners understands the importance of this grant process and the need for expeditious execution of various documents.

NOW, THEREFORE, BE IT RESOLVED by the Gulf County Board of County Commissioners that the Chairman, County Chief Administrator or County Grant Coordinator is hereby authorized to execute all necessary documents including and resulting from the filing of this application.

ADOPTED this 14th day of June, 2011.

(End)

FAIR HOUSING WORKSHOP

Blunt Armstrong of Jordan & Associates appeared before the Board and reported that this is part of the application process for the Community Development Block Grant to hold two Fair Housing Workshops during the application cycle; stating that the first tonight is for elected officials and the general public. He read a section of the Fair Housing Act which prohibits the discrimination in the sale, rental and financing of dwellings and other housing related transactions based on race, color, national origin, religion, gender, familiar status, and handicap. Mr. Armstrong stated that Gulf County has passed a Fair Housing Ordinance which includes provisions to protect these citizens groups and also gives them an avenue for complaints if they feel they have been discriminated against.

GULF COUNTY HEALTH DEPARTMENT – HEALTH NEEDS ASSESSMENT

Clarissa Herndon of the Gulf County Health Department appeared before the Board and introduced three second year medical students (Jolisa Timmins, Meme Van, and Anquita Patel) that will be in our community for the next six weeks. Ms. Herndon presented the 2010 Health Needs Assessment to the Board. Upon inquiry by Commissioner Williams concerning the Health Needs Assessment, Ms. Herndon reported that this assessment is in conjunction with Sacred Heart Hospital.

STUMPHOLE REVETMENT PROJECT – INVOICE #3 – I-C CONTRACTORS

Grant Writer Kopinsky recommended approval of Invoice #3 from I-C Contractors for the Stumphole Revetment Project, in the amount of \$226,993.50 to be paid from the

C.D.B.G./D.R.I. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

AVENUE "A" SEWER – INVOICE #26136 – GAC CONTRACTORS

Grant Writer Kopinsky recommended approval of Invoice #26136 from GAC Contractors for the Avenue "A" Sewer Project, in the amount of \$35,480.75 to be paid from the C.D.B.G./D.R.I. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

EGLIN AIR FORCE BASE PROPERTY – CAPE SAN BLAS

Grant Writer Kopinsky requested permission to submit a letter to Eglin Air Force Base, located at Cape San Blas, requesting permission for Gulf County to seek grants and other funding to re-nourish the beach adjacent to Eglin property. Commissioner McLemore motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

BID AWARD #1011-21 – AFFORDABLE RENTAL HOUSING REHABILITATION

Grant Writer Kopinsky recommended to waive the Local Housing Assistance Program (L.H.A.P.) and award bid #1011-21 (for affordable rental housing rehabilitation) to Bryan-Co Services (low bidder), in the amount of \$270,062.00 and to allow the Chairman to execute all documents necessary in conjunction with this award. Commissioner McLemore motioned to approve this recommendation. Commissioner Williams seconded the motion, and it passed unanimously.

D.R.I./STUMPHOLE – CHANGE ORDER – I-C CONTRACTORS

Grant Writer Kopinsky recommended approval of a change order for I-C Contractors on the Stumphole project, and allow the Chairman to execute the change order contingent on approval by D.C.A., in the approximate amount of \$355,545.00. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

APPLICATION – U.S. FISH AND WILDLIFE B.I.G GRANT

Grant Writer Kopinsky requested permission to apply for a Boat Infrastructure Grant from the U.S. Fish and Wildlife for a possible buoy/channel marker system for St. Joe Bay, stating that the grant is for infrastructure for boats over 26 feet in length. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

APPLICATION – DEPARTMENT OF HOMELAND SECURITY AFG GRANTS

Grant Writer Kopinsky requested permission to apply for a Assistance to Firefighters Grant (AFG) through Department of Homeland Security Assistance to Firefighters Grant for a fire truck for the Dalkeith Fire Department, and for new ambulances. Commissioner McLemore motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

FUNDING – OVERSTREET ROAD C.R. 386

Grant Writer Kopinsky requested permission to look for funding for the Overstreet Road for widening and resurfacing. Commissioner Williams motioned to approve this request. Commissioner Smiley seconded the motion. Upon inquiry by Commissioner McDaniel concerning giving C.R. 386 back to the State, Grant Writer Kopinsky reported that this was a swap for S.R. 30. The motion then passed unanimously.

GULF COAST WORKFORCE BOARD

Gary Ross, Chairman of Gulf Coast Workforce Board, appeared before the Board and gave an update on the Workforce Board. He reported that the goal is to raise awareness and services for Gulf County, stating that they have provided in Gulf County over the past few weeks (1) bookkeeping and accounting training, (2) assistance in starting a small business, and (3) assisted individuals in obtaining Microsoft Excel certification. Kim Bodine, Executive Director of Gulf Coast Workforce Board appeared before the Board and thanked Commissioner Smiley and Chief Administrator Butler for their help at the Washington Gym. She reported that Gary Ross is the Chairman of the Chairs Group for the State of Florida. Ms. Bodine presented a pamphlet to the Board on Gulf Coast Workforce Board, stating that they served 80 individuals last year in Gulf County who needed training to be re-skilled or first time training for employment, and worked with businesses who are hiring. She reported that they like to work with and assist the Economic Development Council, The Port, and Enterprise Florida; stating that they are currently working with the Chamber of Commerce to help find the new E.D.C./Chamber of Commerce President. Chairman Yeager stated that Kim Bodine has been with Gulf Coast Workforce Board for 18 years and has done an excellent job. Commissioner Williams congratulated Gary Ross on his position as Chairman of the Chairs Group for the State of Florida. Commissioner Smiley thanked Ms. Bodine for her assistance in getting the Washington Gym re-opened.

CONTRACT – BEACH CLEANING – BID #1011-18

T.D.C. Director Kerigan appeared before the Board and reported that they have had numerous calls concerning beach clean-up, stating that the June grass has come in early this year, and recommended to review the contract. He reported that they are promoting the beaches heavily and the beaches need to be clean. Chairman Yeager stated that this has been on an as needed basis, but there needs to be a more structured contract.

Commissioner Williams stated that there were vacationers at Windmark Beach and the June grass was 6 to 8 inches thick on the beaches. T.D.C. Director Kerigan requested to continue with current contract (Coastal Parasail) until a new contract is in place. Chief Administrator Butler reported that the contract allows for them to be called anytime, stating that the problem is not with the contractor, it has been with the County not calling the contractor. Discussion followed. T.D.C. Director Kerigan requested to re-bid with one point of contact; bringing specifications back to the Board for approval before advertising. The Board had no objections.

CONTRACT - COUNTY UNIFORMS – ADVERTISE FOR BIDS

Deputy Administrator Lanier requested approval of a new contract for county employee's uniforms with UniFirst (fka, Riverside Uniforms), contingent upon County Attorney review, stating that they promised the County would get the lowest rate from any of the invoices formally billed from Riverside. Commissioner McLemore motioned to approve this request. Commissioner Smiley seconded the motion for discussion. Upon inquiry by Chairman Yeager and Commissioner McDaniel concerning employee payment, Deputy Administrator Lanier reported that the Board pays 50% and the employee pays 50% for the uniforms to be cleaned, stating that the company replaces the uniforms as needed. Upon inquiry by Commissioner Williams, Deputy Administrator reported that it has been about 5 years since competitive bids were solicited for this service. County Attorney Novak reported that the language in the new contract is the same as the previous contract. Deputy Administrator Lanier stated that she does not like the long term commitments on these contracts, stating that historically they try to keep them at 2 to 3 years. Discussion followed. Commissioner Smiley withdrew the second. Commissioner McLemore withdrew the motion. Commissioner McLemore motioned to re-bid the County uniform contract. Commissioner McDaniel seconded the motion, and it passed unanimously.

CONTRACT - COURTHOUSE ELEVATORS

Deputy Administrator Lanier requested approval of a contract for the courthouse elevators maintenance and repairs with Kone, contingent upon County Attorney review. County Attorney Novak requested direction from the Board concerning contract terms. Deputy Administrator Lanier reported that there are limited organizations to provide these services in this area. Commissioner Williams motioned to approve the request, contingent upon County Attorney Novak and Chief Administrator Butler reviewing. Commissioner McDaniel seconded the motion, and it passed unanimously.

EMERGENCY MANAGEMENT – GULF COUNTY FIRES

Emergency Management Director Nelson appeared before the Board and reported on the fire situations, stating that the fire situation scale is 646 State wide, and Gulf County is 654, and it is getting really dry. He reported that we are starting to get afternoon storms with a

little rain and a lot of lightning, which is starting a lot of small fires. Emergency Management Nelson reported on the drought monitor for Gulf County, stating that the eastern half is severe and the western half is under an extreme drought. He reported that the Governor has issued a State of Emergency for the State of Florida (#11-128), stating that the state has 330 active fires. He reported there has been a lot of small fires throughout the County, and two large fires (one on Doc Whitfield Road and the other at Lake Wimico). Emergency Management Director Nelson thanked the Division of Forestry, all Fire Departments, E.M.S. and the Sheriff's Department for all their assistance.

DEPARTMENT OF AGRICULTURE - COMPREHENSIVE PLAN

Planner Richardson reported that he received a letter from Florida Department of Agriculture concerning the Comprehensive Plan and Indian Lagoon and requested Board review. Chairman Yeager reported that this is in his District and the comments look fine.

GULF COUNTY BEACHES VOLUNTEER FIRE DEPARTMENT – PURCHASE REQUEST

On behalf of Gulf County Beaches Volunteer Fire Department, Planner Richardson requested approval for the fire department to purchase lighter bunker gear, stating that this will exceed the \$5,000.00 bid limit and will purchase from the best quote; stating that they have this in their budget. Commissioner McDaniel motioned to approve this request. Commissioner Williams seconded the motion, and it passed unanimously. Planner Richardson encouraged the public to be extremely careful.

COUNTY WIDE VOTING

County Attorney Novak gave an update on the County Wide Voting, stating that Michael Spellman of Sniffen & Spellman, P.A. has received the data compilation from Dr. Bullock at the University of Georgia, and the data from the Supervisor of Elections. He reported that Mr. Spellman will make a presentation at the June 28, 2011 meeting, and requested that he be placed on the Agenda to speak.

RECREATIONAL VEHICLE (R.V.) MORATORIUM – PROPOSED ORDINANCE

County Attorney Novak reported that the proposed R.V. Moratorium has been placed on the County website, stating that the first Public Hearing will be held at the June 28, 2011 meeting with the second Public Hearing on July 12, 2011 meeting.

AMENDED INTERLOCAL AGREEMENT – CITY OF PORT ST. JOE – ANNEXATION ORDINANCE

Chief Administrator Butler presented an amended Interlocal Agreement to the Board for review from the City of Port St. Joe, stating that this would replace the annexation ordinance which was adopted in 2005.

S.C.R.A.P. AGREEMENT

Chief Administrator Butler reported that the Board previously agreed to apply for C.I.G.P./S.C.O.P./S.C.R.A.P. grants, stating that the St. Joe Beach roads were on the S.C.R.A.P. application, and option #2 was C.R. 30-A. He recommended changing the application to C.R. 30-A instead of one street at St. Joe Beach, and for himself and Chairman Yeager to meet with Secretary at D.O.T. Commissioner McDaniel motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

C.O.B.R.A.

Chief Administrator Butler reported that one of the major issues in the County is dealing with the County C.O.B.R.A. issues, stating that the people cannot buy flood insurance, the County has a \$15 million beach renourishment project that is being held up by F.E.M.A., and the Federal government will not pair up with the State to re-nourish the beach again. He recommended (1) to seek out individuals who are willing to be on a committee to modify or eliminate C.O.B.R.A., and (2) consider hiring professional help to get this done. Chairman Yeager stated that he will work on forming a committee and report back to the Board. Planner Richardson stated that Indian Pass needs to be included. Chief Administrator Butler reported that one good thing concerning Indian Pass is that the old subdivisions are not in C.O.B.R.A., but all the people at Cape San Blas are in C.O.B.R.A. Chief Administrator Butler reiterated that the second part is that at some point we need to hire professional help to get it done.

STUMPHOLE REVETMENT PROJECT

Chief Administrator Butler reported the County is close to spending \$5 million on the Stumphole Revetment project, stating that the Federal government should have been spending this money, because the County could have spent that money on other projects.

GULF COUNTY C.D.C. – F.H.O.P. – S.H.I.P.

Chief Administrator Butler discussed a letter from the C.D.C. (was in the May information packet), stating that there is a recommendation from Michael Chaney with Florida Housing Coalition, and this helps clean-up one issue he was speaking to the C.D.C. about. He, together with the C.D.C. and Mr. Chaney, recommend that the F.H.O.P. language be changed concerning the pay-off dates on loans as follows: it is intended that the F.H.O.P. loan should be repaid within 18 months after the closing date of the loan, and the home buyer would pay off within earlier of 18 months or 10 days after receipt of their Federal Income Tax, shall be subject to repayment terms outlined in F.H.O.P.; stating that if the County changes to this it would clean that part up. Commissioner McLemore motioned to approve this recommendation. Commissioner Williams seconded the motion, and it passed unanimously.

S.H.I.P. LOAN FORGIVENESS

Chief Administrator Butler discussed the possibility of facilitating a short sale instead of a foreclosure on the S.H.I.P. loans to get some of the dollars back; stating this is already in place. He further recommended to forgive these S.H.I.P. loans which would help stop the program, contingent upon County Attorney review. Commissioner McLemore motioned to approve this recommendation. Commissioner McDaniel seconded the motion, and it passed unanimously.

EIGHT COUNTY COALITION – MEETING

Chief Administrator Butler reported that there is a meeting in South Walton County on Friday, June 17th, with the Eight County Coalition, stating that he has a conflict and has ask Grant Writer Kopinsky to take his place at the meeting.

OIL POLLUTION ACT / STAFFORD ACT – DEEPWATER HORIZON OIL SPILL

Commissioner Williams thanked the Board for allowing him to represent Gulf County and the State of Florida, stating that he testified before Congress a few weeks ago. He reported that the Oil Pollution Act vs Stafford was discussed and all projects must be submitted by October 1, 2011. Commissioner Williams stated that he will report back to the Board concerning this issue.

TRAVEL

Commissioner Williams requested permission to travel to South Walton County to the Eight County Coalition meeting on Friday, June 17th. Commissioner McLemore motioned to approve this request. Commissioner McDaniel seconded the motion, and it passed unanimously.

HEALTH INSURANCE

Commissioner Williams reported that the Board was presented a recommendation at the last Board meeting from our Agent of Record and Health Insurance Committee to accept a 9% increase on the Health Insurance, stating that the Board gave him a 5-0 vote to go back and review this issue. He reported that after this action was taken Mr. Torgenson came to the staff and based on the revisions and numbers he found he could drop it to 4 to 5%, which equates a \$51,000.00 savings.

Commissioner Williams inquired of Todd Torgenson about the savings. Todd Torgenson appeared before the Board and thanked them for allowing him to represent the County and allowing him to speak, stating that when they originally met with the Insurance committee, BCBS came with a 13% increase and they negotiated it down to a plus 9%. He stated that at that point if they looked at updated claims experience, then we may can get it down, but it could also go up. Commissioner Williams stated that two weeks ago Mr. Torgenson

recommended a \$100,000.00 increase at 9% and then come back with a decrease of \$51,000.00 after the Board denied the 9% increase. Discussion followed about loss ratios, administrative fees and the process.

Upon request by Commissioner Williams, Tony Grippa of Brown & Brown Insurance appeared before the Board and reported that they are the largest writer of public entities in the State of Florida. Mr. Grippa presented a handout to the Board and discussed the process of determining Medical Loss Ratio and other factors that alarmed him. Upon inquiry by Commissioner McDaniel, Mr. Grippa reported that he was asked (by Commissioner Williams) to review the County documentation concerning health insurance. Commissioner McDaniel inquired if Brown & Brown has any holdings in Gulf County. Mr. Grippa reported that they have employees that live in Gulf County and work in the Panama City office. Mr. Grippa reported that Brown & Brown Insurance currently handles the Property & Casualty Insurance for Gulf County. Discussion continued. Commissioner Williams motioned for Brown & Brown to become the agent of record of our medical and ancillaries, but do not compensate until savings are proven. Commissioner McLemore seconded the motion under one condition, that Mr. Torgenson has the same opportunity to come back with information, in writing.

J. Frank Graddy of Gaskin-Graddy Insurance appeared before the Board and reported that he is the 3rd generation owner of Gaskin-Graddy Insurance, stating that they have been in business since 1931. Mr. Graddy discussed many contributions his agency has provided to Gulf County over the years. He reported that they received the rate from BCBS at a 9.3% increase, and with one month of claims experience were able to lower the rate. Mr. Graddy reported that one of the problems in a rural County is the doctor network is not available. He reported that he is not BCBS, he is only the agent here to work for the betterment of this County. Commissioner Williams reported that he has been on this Board since 2004, and that Gaskin-Graddy Insurance has never been before this Board, stating that they are a silent partner behind Mr. Torgenson, and that no one on this Board knew that he was affiliated with this County. Commissioner Williams stated that Mr. Graddy has never been the County's partner; he has been Todd Torgenson's partner. Based on a statement made by Commissioner Williams about Mr. Graddy having a family member current or former sitting on the Board, Mr. Graddy stated that he has no current or former family member on this Board. Mr. Graddy stated that he brought Todd Torgenson to this County, and that he meets somewhat regularly with the County Insurance person. Mr. Graddy stated that he has never hidden anything; a combined Insurance Services sign sits in his window at his office in Wewahitchka, and he is here tonight to defend himself against accusations and verbal attacks. Upon inquiry by Commissioner McDaniel concerning campaign contributions, Mr. Graddy stated that he had never made any campaign contributions to any member of this Board. Commissioner Smiley stated that we need to see it in black and white and stop

pointing fingers. Discussion followed. Commissioner Williams stated that we have a motion and a second to change the Agent of Record at no cost to this County, and if he cannot do it, then we will go back to Mr. Torgenson.

June Green of Wewahitchka appeared before the Board and asked if anyone on this Board had received a contribution from Brown & Brown Insurance. Commissioner Williams stated that Brown & Brown Insurance has not made a contribution to him, but that Tony Grippa personally made a contribution to him. Ms. Green stated that you (Commissioner Williams) are trying to take a local agent out of this County and go with somebody else and that is wrong.

Commissioner Smiley stated he needs to see a little more data. Chairman Yeager stated that the motion was to give them both an opportunity to come to this Board to show us in black and white. Commissioner McLemore agreed and discussed further. Chairman Yeager stated that one of the problems here is that health insurance is high, and the employees are unable to pay for it. Commissioner Williams stated that the other group (Brown & Brown) cannot even look or negotiate if they are not the Agent of Record. Commissioner Williams stated that the County could go back to Todd Torgenson as Agent of Record if they don't find those savings. Chairman Yeager inquired as to the cost of the family plan and Human Resource Director Manuel stated that it depends on the plan. Mr. Torgenson stated it runs about \$2,000.00 a month.

Human Resource Director Manuel appeared before the Board and explained the process for the health insurance renewal, stating that since the County went to the October renewal typically this is the time of the year that we start looking at our insurance renewal, and we look this early to give the Board the opportunity to reject or accept; stating if the Board rejects we have to submit an RFP, and this takes time. She reported that open enrollment starts in August, stating that the premiums have to start being deducted from the employee's checks in September to be paid in October. Discussion followed in reference to RFP's, the Sheriff's Association and the Insurance Committee meetings. Chairman Yeager called for order.

Commissioner McDaniel called for clarification of the motion. Commissioner Williams stated that his motion was to allow this letter of agent agreement to go out so that it will enable Brown & Brown Insurance to review this issue at no cost, stating that they will come back with a presentation of what the savings will be, and if they are unable to do this, Mr. Torgenson stands corrected. Commissioner McLemore stated that his second stands.

Todd Torgenson appeared before the Board and stated if we are going with Commissioner McLemore's second, then he should have the same opportunity as Brown & Brown.

Commissioner Williams stated that Mr. Torgenson had his opportunity. Mr. Torgenson said you don't have to provide Agent of Record letters, you can provide an authorization and the Insurance Company will provide them the same information they provided him.

Chairman Yeager called for the vote, and the motion then passed 3 to 2, with Commissioner McDaniel and Commissioner Smiley voting no.

AGENCY FOR HEALTHCARE ADMINISTRATION

Commissioner Williams requested permission to work with Ms. Marsha Player, Gulf County Health Department Administrator and Sacred Heart Hospital concerning the commitment in the Interlocal Agreement with the Agency for Healthcare Administration relating to the L.I.P. The Board had no objections.

COUNTY ROAD 386

Timothy Stein appeared before the Board and discussed that he has been concerned about the hazards on C.R. 386, and thanked the Board for addressing and handling this issue tonight. He also reminded the Board that standing water and narrow shoulders are also a problem that needs to be addressed.

GRANT APPLICATION – EDWARD BYRNE MEMORIAL JUSTICE

Sheriff Nugent appeared before the Board and requested permission for the Chairman to execute the grant application for the Edward Byrne Memorial Justice grant. Commissioner Williams motioned to approve this recommendation. Commissioner Smiley seconded the motion, and it passed unanimously.

THEFTS/ARREST

Sheriff Nugent reported on the recent thefts at the school and the Howard Creek Fire Department, stating that arrests have been made for both of these.

DITCH LANDING ROAD

Lawrence Woodman appeared before the Board and inquired directly to Commissioner McLemore about the gates being removed from the Ditch Landing Road. Commissioner McLemore stated that County Attorney Novak can answer his questions. County Attorney Novak reported that he made contact with St. Joe Company (David Harrelson) concerning this issue, stating that these gates were inserted by the County twelve years ago, and the gates were removed and returned to the County since it was built and constructed with County property twelve years ago; stating that Mr. Harrelson agreed. Mr. Woodman stated that Mr. Harrelson has nothing to do with this property, stating that it has been sold two times, and that Lee Cathey put the gate up. Mr. Woodman requested that the County pay for someone to put the gate back in place. Chairman Yeager reported that he was not

aware of the County removing the gate. County Attorney Novak reported that he is not aware of the gate Mr. Woodman is speaking about, stating that the gate that was removed was on St. Joe property, and Mr. Harrelson confirmed. Chairman Yeager requested for Mr. Woodman and Mr. Cathey speak with the County Attorney concerning this issue.

There being no further business, and upon motion by Commissioner McLemore, the meeting did then adjourn at 8:33 p.m., E.T.

WARREN J. YEAGER, JR.
CHAIRMAN

ATTEST:
REBECCA L. NORRIS
CLERK

This Instrument Prepared By:
 Thomas S. Gibson
 Rish, Gibson & Scholz, P.A.
 116 Sailor's Cove Drive
 P. O. Box 39
 Port St. Joe, FL 32457

MORTGAGE MODIFICATION AGREEMENT

THIS INDENTURE made this _____ day of _____, 2011, by and between PORT ST. JOE PORT AUTHORITY and GULF COUNTY BOARD OF COUNTY COMMISSIONERS:

WITNESSETH:

WHEREAS, the PORT ST. JOE PORT AUTHORITY, executed a second mortgage on May 3, 2011, to GULF COUNTY BOARD OF COUNTY COMMISSIONERS, encumbering certain lands in Gulf County, Florida, being more fully described in said mortgage. The mortgage was filed May 4, 2011, and recorded in Official Records Book 505 at Page 273 of the Public Records of Gulf County, Florida:

WHEREAS, CAPITAL CITY BANK, holder of the first mortgage on the property has requested certain modifications to the second mortgage; and

WHEREAS, the GULF COUNTY BOARD OF COUNTY COMMISSIONERS has agreed to the modification.

NOW, THEREFORE, in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1. That this is a modification of an existing second mortgage executed by the PORT ST. JOE PORT AUTHORITY, dated May 3, 2011, and recorded in Official Records Book 505 at page 273 of the public records of Gulf County, Florida ("THE MORTGAGE").

2. The following paragraph is hereby added as Paragraph 14 to the second mortgage described herein:

14. The parties acknowledge that Capital City Bank holds a mortgage on the property identified herein dated November 28, 2006 and recorded at Official Records Book 423, Page 919, and modified at Official Records Book 489, Page 5, and a mortgage dated March 30, 2010 and recorded at Official Records Book 489, Page 10, all in the public records of Gulf County, Florida. Gulf County Board of County Commissioners covenants and agrees that it will not institute foreclosure proceedings against Port St. Joe Port Authority for any default under the terms of THE MORTGAGE and this modification unless and until Capital City Bank institutes foreclosure proceedings according to the terms of its mortgages.

This is a modification of an existing mortgage and promissory note. Documentary stamps and intangible tax have been paid on the existing mortgage and promissory note as referenced above. This modification is not subject to documentary stamps and/or intangible tax pursuant to Section 201.09, Florida Statutes, and applicable Florida law.

3. That in all other respects, the second mortgage will remain in full force and effect as executed.

PORT ST. JOE PORT AUTHORITY

Witness Signature
Printed Name: _____

By: _____
Tommy Pitts
Its: Executive Director

Witness Signature
Printed Name: _____

STATE OF FLORIDA
COUNTY OF GULF

The foregoing instrument was acknowledged before me this ____ day of June, 2011, by TOMMY PITTS, as Executive Director of the Port St. Joe Port Authority, on behalf of the Port St. Joe Port Authority, who is personally known to me or who produced _____ as identification and who did not take an oath.

Notary Public State of Florida
My Commission Expires: _____

GULF COUNTY BOARD OF COUNTY COMMISSIONERS

Witness Signature
Printed Name: _____

By: _____
Printed Name: _____
Its: _____

Witness Signature
Printed Name: _____

STATE OF FLORIDA
COUNTY OF GULF

The foregoing instrument was acknowledged before me this ____ day of June, 2011, by _____, as Chairman of the Gulf County Board of County Commissioners, on behalf of the Gulf County Board of County Commissioners, who is personally known to me or who produced _____ as identification and who did not take an oath.

Notary Public State of Florida
My Commission Expires: _____

MEMORANDUM

DATE: 6/21/2011

TO: Gulf County Board of County Commissioners

FROM: Joe Danford
Public Works Director

SUBJ: Board Actions/Consent Agenda

- 1) Request Chairman sign the Small County Solid Waste Grant

2011 JUN 21 AM 10:34

CONSENT
DATE: 6/21/11 LL



Florida Department of
Environmental Protection
Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION CONSOLIDATED
SMALL COUNTY SOLID WASTE MANAGEMENT GRANT APPLICATION**

1. Name of County: Gulf County
2. Address of County: 1000 Cecil Costin Blvd, Port St. Joe, FL 32456
3. Federal Employer Identification Number: 59-6000627
4. Name and Title of Contact Person (person handling program on a daily basis):
Name: Joe Danford Title: Public Works Director
5. Address of Contact Person: 1001 Tenth St., Port St. Joe, FL 32456
6. Telephone Number of Contact Person: (850)227-1401
7. Population of County: 15,863
8. Purpose for which grant money is requested. (Indicate by checkmarks): Rule 62-716.510 (1)

- | | |
|---|--|
| <input checked="" type="checkbox"/> a. Purchasing or repairing solid waste scales | <input checked="" type="checkbox"/> e. Maintenance of solid waste facilities |
| <input checked="" type="checkbox"/> b. Annual solid waste management program operating costs (may include waste tire and litter control and prevention) | <input checked="" type="checkbox"/> f. Education for employees or public |
| <input checked="" type="checkbox"/> c. Planning | <input checked="" type="checkbox"/> g. Recycling demonstration projects |
| <input checked="" type="checkbox"/> d. Construction of solid waste facilities | |

9. Purpose for which grant money is requested detail. Please complete the two attached forms: (1) DEP- Attachment "A" Grant Work Plan; and (2) DEP Budget-Cost Analysis .

10. Name and Title of Authorized Representative:
Name: Warren J. Yeager, Jr. Title: Chairman, Gulf County Board of Commissioners

11. This application is due by July 1, of each year.

12. E-Mail Address of Contact person: jdanford@gulfcounty-fl.gov

13. Is your County Self-Insured for Liability Insurance, appropriate and allowable under Florida Law? YES: NO: X
If your county is self-insured, we must have a written statement from your Chief Financial Officer stating this.
(Please Attach).

I CERTIFY that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate. I further certify that I possess the authority to apply for this grant on behalf of this county.

Signature of Authorized Representative

Date

Please return form to:

Department of Environmental Protection
Solid Waste Section * Mail Station # 4555 * 2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Small Co. Consolidated Grant Application Page 1 of 1

12/10- FY11/12

CONSENT
DATE: 6/21/11 20

**BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA
COUNTY ATTORNEY'S OFFICE**

Jeremy T.M. Novak, Esq.
1000 CECIL G. COSTIN SR. BLVD., ROOM 302, PORT ST. JOE, FLORIDA 32456
PHONE (850)229-4700 • FAX (850) 229-1148 • EMAIL: JTNovak@novaklaw.us
DATE AND TIME OF MEETINGS • SECOND AND FOURTH TUESDAY AT 6:00 P.M., E.T.

June 21, 2011

Gulf County Board of County Commissioners
Chief Administrator's Office
Donald Butler, Chief Administrator
1000 Cecil G. Costin, Sr. Blvd.
Port St. Joe, Florida 32456

**Re: Professional Services Rendered
NLG File No.: 2200-001, 2200-004 & 2200-005**

Dear Mr. Butler:

Enclosed for your review and file, please find our firm's invoices for professional services rendered.

Additionally, please note an invoice summary statement of both the general legal files and litigation matters for this period have been included for your reference, review and approval.

Should you have any questions, please contact our office immediately.

Very truly yours,

Novak Law Group, PLLC

Encl.

cc: Kari Summers, Gulf County Clerk's Office

2011 JUN 22 AM 11:39

CARMEN L. McLEMORE
District 1

WARD McDANIEL
District 2

BILL WILLIAMS
District 3

TAN SMILEY
District 4

WARREN YEAGER
District 5

21

CONSENT
DATE: 6/28/11

**BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA
COUNTY ATTORNEY'S OFFICE**

Jeremy T.M. Novak, Esq.
1000 CECIL G. COSTIN SR. BLVD., ROOM 302, PORT ST. JOE, FLORIDA 32456
PHONE (850)229-4700 • FAX (850) 229-1148 • EMAIL: JTNovak@novaklaw.us
DATE AND TIME OF MEETINGS • SECOND AND FOURTH TUESDAY AT 6:00 P.M., E.T.

June 21, 2011

Gulf County Board of County Commissioners
Chief Administrator's Office
Attn: Donald Butler
1000 Cecil G. Costin, Sr. Blvd.
Port St. Joe, Florida 32456

**Re: Summary of June Professional Services Rendered and Enclosed Invoice
NLG File No.: 2200-001 General Legal Services**

Summary of Invoices for Professional Services

-	Gulf County General Legal Representation (33.40 hrs. x \$100)	= \$3,340.00
	Total Professional services and costs	<u>\$ 3,340.00</u>

BCC APPROVED

DATE _____ D.C. _____

ACCT. # 21314- 31100

CARMEN L. McEMORI
District 1

WARD McDANIEL
District 2

BILL WILLIAMS
District 3

TAN SMILEY
District 4

WARREN YEAGER
District 5

**BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA
COUNTY ATTORNEY'S OFFICE**

Jeremy T.M. Novak, Esq.
1000 CECIL G. COSTIN SR. BLVD., ROOM 302, PORT ST. JOE, FLORIDA 32456
PHONE (850)229-4700 • FAX (850) 229-1148 • EMAIL: JTNovak@novaklaw.us
DATE AND TIME OF MEETINGS • SECOND AND FOURTH TUESDAY AT 6:00 P.M., E.T.

June 21, 2011

Gulf County Board of County Commissioners
Chief Administrator's Office
Attn: Donald Butler
1000 Cecil G. Costin, Sr. Blvd.
Port St. Joe, Florida 32456

**Re: Summary of June Professional Services Rendered and Enclosed Invoices
Litigation – Professional Legal Services NLG File No.: 2200-005 & 2200-004**

Summary of Invoices for Professional Services

2200-005

- Gulf County Litigation / Pending Litigation Matters (6.5 hrs. x \$125) = \$812.50

professional services total (litigation) \$812.50

2200-004

- Gulf County Deepwater Horizon Matters (26.80 hrs. x \$125) = \$3,350.00

professional services total (BP Matters) \$3,350.00

Total Professional services and costs \$4,162.50

BCC APPROVED

DATE _____ D.C. _____

ACCT. # 21314 - 31100

CARMEN L. McLEMORE
District 1

WARD McDANIEL
District 2

BILL WILLIAMS
District 3

TAN SMILEY
District 4

WARREN YEAGER
District 5

OFFICE: (850) 769-3477
FAX: (850) 769-3456



POST OFFICE BOX 59462
PANAMA CITY, FL 32412-0462

June 13, 2011
Vendor # 107
Job # 107
Invoice # 26127
REVISED

Gulf County Board of County Commissioners
c/o Preble-Rish, Inc.
Attn: Mr. Clay Smallwood, E.I.
324 Marina Drive
Port St. Joe, FL 32456

Re: Gulf County
Old Bay City Road Paving Project (CIGP)

2011 JUN 22 AM 11:16

Contract Amount \$550,732.63

Total Amount Completed	\$404,368.39
Less Retainage (10%)	-\$40,436.84
Less Prior Invoices	\$0.00

Total Amount Due & Requested \$363,931.55

DUE DATE 06/28/11

WE GREATLY APPRECIATE YOUR BUSINESS!!!

BCC APPROVED

DATE _____ D.C. _____

ACCT. # 40741-63000

6/28/11 JS

APPROVED FOR PAYMENT

Date 6/20/11 O.H. JK

Acct. # 40741-63000

CIGP - Old Bay City Road

24

QUALITY SINCE 1958

GC C052036 - CU C056975

APPLICATION AND CERTIFICATION FOR PAYMENT

AIA DOCUMENT G702

TO OWNER:

GULF COUNTY
BOARD OF COUNTY COMMISSIONERS
1000 CECIL G. COSTIN SR. BLVD.
PORT ST. JOE, FL 32456

PROJECT: GULF CO - OLD BAY CITY RD

APPLICATION NO. 1
REVISED

Distribution to:

OWNER

FROM CONTRACTOR:

VIA ARCHITECT:
GAC CONTRACTORS, INC.
4116 N HIGHWAY 231
PANAMA CITY, FL 32404

PERIOD TO: 05/31/2011

ARCHITECT

CONTRACTOR

PORT ST. JOE, FL 32456

PROJECT NOS: 3.231

CONTRACT FOR: 2010 CIGP PAVING PROJECT

CONTRACT DATE: 03/14/2011

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet. AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	550,732.63
2. Net change by Change Orders	0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	550,732.63
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	404,368.39
5. RETAINAGE:	
a. 10 % of Completed Work (Column D + E on G703)	40,436.84
b. % of Stored Material (Column F on G703)	
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	40,436.84
6. TOTAL EARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	363,931.55
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	0.00
8. CURRENT PAYMENT DUE	363,931.55
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	186,801.08

CONTRACTOR: GAC CONTRACTORS, INC

By: *[Signature]*

Date: 6-13-11

State of: FLORIDA County of: BAY

Subscribed and sworn to before me this 13th day of June 2011.Notary Public *[Signature]*

My Commission expires: 11-1-14

IRIS B LEE

Commission # EE 038903
Expires November 1, 2014

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on the observations and data comprising the application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 363,931.55

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	0.00	0.00
Total approved this Month	0.00	0.00
TOTALS	0.00	0.00
NET CHANGES by Change Order		0.00

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)
ARCHITECT

By: *[Signature]*

Date: 6/14/11

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA DOCUMENT G702 - APPLICATION AND CERTIFICATION FOR PAYMENT - 1992 EDITION AIA - ©1997 THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N.W., WASHINGTON, DC 20006-5292
may obtain validation of this document by requesting of the license a completed AIA Document D401 - Certification of Document's Authenticity

CONTINUATION SHEET

AIA DOCUMENT G703

PAGE OF PAGES

AIA Document G702, APPLICATION AND CERTIFICATION FOR PAYMENT, containing

APPLICATION NO:

1 REVISED

Contractor's signed certification is attached.

GULF COUNTY - OLD BAY CITY ROAD

APPLICATION DATE:

13-Jun-11

In tabulations below, amounts are stated to the nearest dollar.

#107

PERIOD TO:

31-May-11

Use Column I on Contracts where variable retainage for line items may apply.

ARCHITECT'S PROJECT NO:

3.231

A	B				C	D	E	F	G	H	I		
ITEM NO	DESCRIPTION OF WORK				SCHEDULED VALUE	FROM PREVIOUS APPLICATION (D + E)	WORK COMPLETED THIS PERIOD	MATERIALS PRESENTLY STORED (NOT IN DORE)	TOTAL CURRENT AMOUNT	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G + C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE) (10%)
SCHEDULE OF VALUES													
GENERAL CONDITIONS													
1	MOBILIZATION(2% OF BID MAX)	1	LS	4339.00	\$4,339.00		1.00		\$4,339.00	\$4,339.00	100.00%		\$433.90
2	BONDS AND INSURANCE (2% OF BID MAX)	1	LS	7059.00	\$7,059.00		1.00		\$7,059.00	\$7,059.00	100.00%		\$705.90
3	MAINTENANCE OF TRAFFIC	1	LS	9938.00	\$9,938.00		0.50		\$4,969.00	\$4,969.00	50.00%	\$4,969.00	\$496.90
4	CONSTRUCTION LAYOUT	1	LS	9296.00	\$9,296.00		0.75		\$6,972.00	\$6,972.00	75.00%	\$2,324.00	\$697.20
5	NPDES PERMIT	1	LS	1680.00	\$1,680.00		0.50		\$840.00	\$840.00	50.00%	\$840.00	\$84.00
	SUB TOTAL				\$32,312.00								
SITework													
6	CLEAR & GRUB INCLUDING DEMOLITION	1	LS	12342.00	\$12,342.00		1.00		\$12,342.00	\$12,342.00	100.00%		\$1,234.20
7	TYPE SP 12.5 ASPHALT @ 1-1/2"	1311	TON	88.91	\$116,561.01		1311.00		\$116,561.01	\$116,561.01	100.00%		\$11,656.10
8	OPTIONAL BASE GROUP 5	16773	SY	10.61	\$177,961.53		16773.00		\$177,961.53	\$177,961.53	100.00%		\$17,796.15
9	EXCAVATION REGULAR	76	CY	5.60	\$425.60		76.00		\$425.60	\$425.60	100.00%		\$42.56
10	EXCAVATION BORROW	13302	CY	5.80	\$77,151.60		2555.10		\$14,819.58	\$14,819.58	19.21%	\$62,332.02	\$1,481.96
11	SIGNS	8	EA	218.39	\$1,747.12				\$0.00	\$0.00		\$1,747.12	\$0.00
12	RELOCATE SIGNS PER FDOT INDEX 11860	1	EA	100.80	\$100.80				\$0.00	\$0.00		\$100.80	\$0.00
13	RELOCATE MAILBOXES PER FDOT INDEX 5	2	EA	61.97	\$123.94		2.00		\$123.94	\$123.94	100.00%		\$12.39
14	6" PAINT SOLID WHITE EDGE STRIPE	13700	LF	0.75	\$10,275.00				\$0.00	\$0.00		\$10,275.00	\$0.00
15	6" PAINT SOLID YELLOW CENER STRIPE	13700	LF	0.75	\$10,275.00				\$0.00	\$0.00		\$10,275.00	\$0.00
16	REFLECTIVE PAVEMENT MARKERS (RPMS)	344	EA	5.60	\$1,926.40				\$123.94	\$123.94	100.00%		\$12.39
17	CONCRETE ENDWALL CONSTRUCTION	38	CY	661.20	\$25,125.60				\$0.00	\$0.00		\$10,275.00	\$0.00
18	15" RCP PIPE	136	LF	36.90	\$5,018.40				\$0.00	\$0.00		\$10,275.00	\$0.00
19	24" RCP PIPE	147	LF	44.23	\$6,501.81				\$0.00	\$0.00		\$1,926.40	\$0.00
20	15" MES PER FDOT INDEX 272	8	EA	730.99	\$5,847.92				\$0.00	\$0.00			\$2,512.56
21	GUARDRAIL INC(Parellel End Anchorage Asse	300	LF	51.52	\$15,456.00				\$25,125.60	\$25,125.60	100.00%		\$501.84
22	SOD (30" STRIP @ EOPIARGENTINE BAHIA	4292	SY	3.45	\$14,807.40				\$5,018.40	\$5,018.40	100.00%		\$650.18
23	SEED AND MULCH	12178	SY	1.75	\$21,311.50				\$6,501.81	\$6,501.81	100.00%		\$584.79
24	TURBIDITY CURTAIN	300	LF	9.07	\$2,721.00				\$5,847.92	\$5,847.92	100.00%		\$0.00
25	SILT FENCE	13700	LF	0.93	\$12,741.00				\$0.00	\$0.00		\$15,456.00	\$0.00
	SUB TOTAL				\$518,420.63				\$0.00	\$0.00		\$14,807.40	\$0.00
									\$0.00	\$0.00		\$21,311.50	\$0.00
									\$2,721.00	\$2,721.00	100.00%		\$272.10
									\$12,741.00	\$12,741.00	100.00%		\$1,274.10
	GRAND TOTALS				\$550,732.63				\$404,368.39	\$404,368.39	73.42%	\$146,364.24	\$40,436.84

G703 - 1992

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**WAIVER AND RELEASE OF LIEN
UPON PROGRESS PAYMENT**

The undersigned lienor, upon payment of **\$363,931.55** and said payment clearing GAC Contractors' bank account, hereby waives and releases its lien and right to claim a lien for labor, services, or materials furnished through **May 31, 2011**, to the **Gulf County Board of County Commissioners**, on the job of the **Gulf County – Old Bay City Road Paving Project (CIGP)** to the following property:

Old Bay City Road, Gulf County, Florida

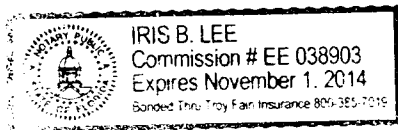
This waiver and release does not cover any retention or labor, services, or material furnished after the date specified. This waiver does not include retainage withheld in the amount of **\$40,436.84**.

Contractor: **GAC Contractors, Inc.**

By: Angie Blakemore
Printed Name: **Angie Blakemore**
Title: **Controller**

County of **Bay**
State of **Florida**

Subscribed and sworn before me this **13th** day of **June, 2011**.



Iris B. Lee
Notary Public State of Florida

My Commission Expires: November 1, 2014.

APPLICATION AND CERTIFICATE FOR PAYMENT

TO (OWNER):
 Gulf County Board of County Commissioners
 1000 Cecil G. Costin Sr. Blvd.
 Port St. Joe, FL 32456

FROM (CONTRACTOR):
 IC CONTRACTORS, INC.
 228 E. 34TH ST. PANAMA CITY, FL 32405

PROJECT:
 STUMPPOLE REVETMENT PROJECT
 Phase II - HMGP

VIA (ENGINEER):
 Preble Rish, Inc. Consulting Engineers
 Clay Smallwood, Project Engineer

IC JOB NO: 177 IC INVOICE NO: 1085-11 (RETAINAGE ONLY) 3A

APPLICATION NO: 3A

PERIOD TO: April 26, 2011

APPLICATION DATE: April 26, 2011

CONTRACT DATE:

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Number	Date Approved		
TOTAL		\$0.00	\$0.00

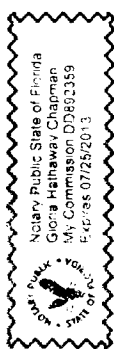
In undersigned Contractor certifies that to the best of the Contractor's knowledge information and belief the Work covered by the Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for the Work covered by the Application for Payment, and that the Contractor is not entitled to any further payment from the Owner and that the Contractor is not entitled to any further payment from the Owner.

CONTRACTOR

-C CONTRACTORS, INC.

By: Albert Hathaway Date: 4/26/2011
 ALBERT E HATHAWAY, PRESIDENT

State of Florida
 County of Bay
 Subscribed and sworn to before me this 26th day of April, 2011
 Notary Public: [Signature]
 My Commission expires: 4/25/2013



1. ORIGINAL CONTRACT SUM \$780,147.29
2. NET CHANGE BY CHANGE ORDERS \$0.00
3. CONTRACT SUM TO DATE (Line 1 + Line 2) \$780,147.29
4. ENCUMBRANCES:
 - a. Total Purchase Orders Issued by Owner (To Date) \$0.00
 - b. Anticipated Tax Savings on Owner Issued POs \$0.00
 - c. TOTAL ENCUMBRANCES: \$0.00
 - d. TOTAL CONTRACT VALUE LESS ENCUMBRANCES: \$780,147.29
5. EARNED TO DATE:
 - a. Value of Work Complete-Excluding Owner Purchased Materials (5-10c) \$780,147.29
 - b. Stored Materials - For Verification Only (See Attached) \$780,147.29
 - c. TOTAL EARNED TO DATE: (Line 5a) \$780,147.29
6. RETAINAGE: (10% of the First 50% of the Work) \$780,147.29
7. TOTAL EARNED LESS RETAINAGE (Line 5c less Line 6) \$702,132.56
8. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 7 from prior certificate) \$78,014.73
9. CURRENT PAYMENT DUE
10. TAX SAVINGS AGREEMENT: (Through Summary No.)
 - a. Vendor Invoices Processed @Contractors Request \$0.00
 - b. Tax Savings on Processed Invoices \$0.00
 - c. Total Tax Savings Agreement Invoices & Credits Processed (Sum Line 10a and 10b) \$0.00
 - d. Remaining Balance on Encumbered POs and Tax Savings (4c less 10c) \$0.00
11. BALANCE TO FINISH, INCLUDING RETAINAGE & ENCUMBRANCES (Line 3 - Ln 7 - Ln 10c)

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information, and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

ENGINEER:

AMOUNT CERTIFIED

APPROVED FOR PAYMENT BY: [Signature] Date: 6/16/11

Acct. # 223525-34000

\$ 78,014.73

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein.

Issuance, payment, and acceptance of payment at without prejudice to any rights of the Owner or Contractor under this Contract.

CONSENT
 DATE: 6/28/11 88

CONTINUATION SHEET

Page 2 of 4 Pages

PROJECT:
STANPHOLE REVEITEMENT PROJECT
PHASE II (BMGP)

APPLICATION NUMBER: 3
APPLICATION DATE: 4/26/2011
PERIOD T 26-Apr-11
PROJECT N° Bid No. 1011-05

A	B	C	C (1)	C (2)	C (4)	D	E		F	G	H	I
							WORK COMPLETED	THIS PERIOD				
ITEM NO	DESCRIPTION OF WORK	SCHEDULED VALUE	UNITS	COST PER UNIT	% QUANTITY COMPLETED THIS PERIOD	FROM PREVIOUS APPLICATION (D + E)			MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D + E + F)	BALANCE TO FINISH (C - G)	RETAINAGE
1.00	Mobilization Bonds/NOT	\$17,984.09	LS	LS		\$17,984.09		\$0.00		\$17,984.09	\$0.00	\$1,798.41
2.00	As Built	\$2,400.00	LS	LS	100.00%	\$0.00		\$2,400.00		\$2,400.00	\$0.00	\$240.00
3.00	Rack Reversion	\$759,763.20	LS	LS	68.00%	\$316,065.30		\$443,697.90		\$759,763.20	\$0.00	\$75,976.32
PAGE TOTALS		\$780,147.29				\$334,049.39		\$446,097.90		\$780,147.29	\$0.00	\$78,014.73

SNIFFEN & SPELLMAN, P.A.

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123 NORTH MONROE STREET • TALLAHASSEE, FL • 32301

PHONE: 850.205.1996 • FAX: 850.205.3004

WWW.SNIFFENLAW.COM

CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGED INFORMATION
PRIVILEGED UNDER SECTION 119.071(1)(D)

June 14, 2011

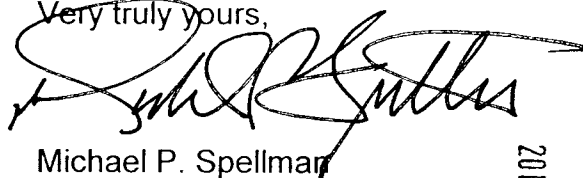
Jeremy T.M. Novak
County Attorney
Gulf County
209 7th Street
Port St. Joe, FL 32456

Dear Mr. Novak:

Enclosed please find statement no. 7208 dated June 9, 2011. In summary, the total amount owed is \$5,344.24, which consists of fees of \$5,225.00 and expenses of \$119.24.

If this billing meets with your approval, we would appreciate receiving payment within 30 days. Should you have any questions, please do not hesitate to call me.

Very truly yours,



Michael P. Spellman

MPS/tsw
Enclosure

2011 JUN 16 PM 2:56

BCC APPROVED

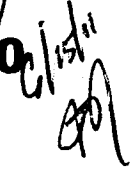
DATE _____ D.C. _____

ACCT. # 21111-31200

CONSENT

DATE: 6/28/11 LL

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PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Gulf County Board of County Commissioners will hold a public hearing to consider adoption of an Ordinance with the following title:

AN ORDINANCE OF GULF COUNTY IN THE STATE OF FLORIDA FOR CREATING POLICIES REGULATING RECREATIONAL VEHICLES (RV)'S AND THEIR LOCATION, PLACEMENT, RV'S PER PARCEL, USE AND STORAGE OF RV'S WITHIN BOTH UNINCORPORATED GULF COUNTY AND WITHIN THE COASTAL CORRIDOR AND FOR SAID POLICIES TO AMEND, BE CODIFIED AND BECOME PART OF THE GULF COUNTY LAND DEVELOPMENT REGULATIONS (LDR).

Complete Ordinance on file in the Clerk's Office

The public hearing will be held during the Gulf County Board of County Commissioner's Regular Meeting on Tuesday, June 28, 2011 at 6:00 p.m. est. in the County Commissioner's meeting room in the Robert M. Moore Administration Building, Gulf County Courthouse Complex, Port St. Joe, Florida.

All interested persons may appear and be heard with respect to the proposed Ordinance. If a person decides to appeal any decisions made by the Gulf County Commission with respect to any matter considered at this hearing, he/she will need a record of the proceedings and that for such purpose he/she may need to ensure a verbatim record of the proceedings made and which would include any evidence upon which the appeal is to be based.

BOARD OF COUNTY COMMISSIONERS
GULF COUNTY, FLORIDA

BY: WARREN J. YEAGER, JR., CHAIRMAN

Ad Dates: June 23 & 27, 2011

Ad #2011-33

Publish in Legals

Invoice: Gulf County Board of County Commissioners

PUBLIC NOTICE

A Public Hearing will be held at the Planning and Development Review Board (PDRB) meeting on Monday, June 20, 2011 at 8:45 a.m. EST, and at the Board of County Commissioners (BOCC) meeting on Tuesday, June 28, 2011 at 6:00 p.m. EST. Both public hearings will be held in the BOCC Meeting Room at the Robert M. Moore Administration Building, 1000 Cecil G. Costin Sr. Blvd., Port St. Joe, Florida. The public hearings will be to discuss and act on the following:

1. Subdivision Application - Hibiscus Horizons - by Jay Rish for Parcel ID #'s 06268-503R, 06268-509R, 06268-513R, 06268-514R and 06268-516R - Located in Section 6, Township 9 South, Range 11 West, Gulf County, Florida - Determination of Development Order for platting a subdivision for said parcels.
2. Open Discussion
3. Staff

The public is encouraged to attend and be heard on these matters. Information prior to the meeting can be viewed at the Planning and Building Department at 1000 Cecil G. Costin Sr. Blvd., Room 312.

Ad #2011-27

Date: June 9, 2011 and June 16, 2011

Invoice: Gulf County Planning Department

Size: Headline no smaller than 18 point

Must be at least 2 columns wide by 10 inches long

Must not appear in the newspaper portions where legal notices and classified advertisements appear

Proof of Publication required

Hibiscus Horizons

